IJ W

O 1 P & 87295.1

**ENT

DOCKET 13510CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant:

LEAKE et al.

Examiner:

BOWMAN, Amy Hudson

Serial No.:

10/613077

Group Art Unit:

1635

Filed:

July 1, 2003

For:

Stabilized Polynucleotides for Use in RNA Interference

Customer No.:

23719

Kalow & Springut LLP

488 Madison Avenue, 19th Floor New York, New York 10022

April 8, 2005

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO-1449 (copies of cited references are enclosed). As to any reference supplied, Applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information of which they are aware and believe relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

(Signature)

Printed Name of Person Signing Certificate

(Date)

Applicant: LEAKE et al. Serial No.: 10/613077 Filed: July 1, 2003

Supplemental Information Disclosure Statement

April 8, 2005

BEST AVAILABLE COPY



I. U.S. PATENT DOCUMENTS

Patent No.	Date Issued	<u>Title</u>
5,998,203 MATULIC-	December 7, 1999	Enzymatic Nucleic Acids
ADAMIC et al.		Containing 5'-and/or 3'-Cap
÷		Structures
6,111,086 SCARINGE '	August 29, 2000	Orthoester Protecting Groups
2004/0009938 A1	January 15, 2004	Methods of Enhancing Renal
MANOHARAN et al.		Uptake of Oligonucleotides
2005/0020525 A1	January 27, 2005	RNA Interference Mediated
McSWIGGEN et al.		Inhibition of Gene Expression
		Using Chemically Modified Short
i		Interfering Nucleic Acid (SINA)

II. FOREIGN PATENT DOCUMENTS

Publication No.	Country	Publication Date
WO 02/094185	WO	28 November 2002

III. NON PATENT PUBLICATIONS

AMARZGUIOUI et al., Tolerance for mutations and chemical modifications in siRNA, 2003, Nucleic Acids Research, Vol. 31, No. 2, pages 589-595.

PARRISH et al., Functional Anatomy of a dsRNA Trigger: Differential Requirement for the Two Trigger Strands in RNA Interference, November 2000, Molecular Cell, Vol. 6, pages 1077-1087.

ELBASHIR et al., RNA interference is mediated by 21- and 22-nucleotide RNAs, January 2001, Genes & Development, Vol. 15, pages 188-200.

LETSINGER et al., Cholesteryl-conjugated oligonucleotides: Synthesis, properties, and activity as inhibitors of replication of human immunodeficiency virus in cell culture, September 1989, Proc. Natl. Acad. Sci. Vol. 86, pages 6553-6556.

Applicant: LEAKE et al. Serial No.: 10/613077 Filed: July 1, 2003

Supplemental Information Disclosure Statement

April 8, 2005 Page 3 of 3

BEST AVAILABLE COPY

Because no action has been taken on the merits, Applicants submit that no fee is due at this time. However, if a fee is deemed necessary, please charge Deposit Account No. 11-0171.

Respectfully submitted,

Tor Smeland

Registration No.: 43,131 Attorney for Applicant

Kalow & Springut LLP (212) 813-1600

BEST AVAILABLE COPY

PTO/SB/08A (08-03) Approved for use through 07/31/2006: OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

stitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/613077		
Filing Date	July 1, 2003		
First Named Inventor	LEAKE et al.		
Art: Unit	1635		
Examiner: Name	BOWMAN, Amy Hudson		
Attorney Docket Number	13510 CIP		

Examiner Initials*	Cite No.	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
		Number-Kind Code ^{2 (I known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		US- 5,998,203	12/7/1999	MATULIC-ADAMIC et al.	
		^{US-} 6,11,086	8/29/2000	SCARINGE	
		^{US-} 2004/0009938	1/15/2004	MANOHARAN et al.	
		us- 2005/0020525 A1	1/27/2005	McSWIGGEN et al.	
		ŲS-			
		US- r			
		US-			
		US-			
		US			
		US- į			
		US-			
		US-			
-		US-			
		US-	-		
		US _t			
	 	US-			
	<u> </u>	US-			
		US-			
		US-			

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1			Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number: ⁴ Kind Code ⁵ (if Known)	MM-DD-YYYY		Or Relevant Figures Appear	1,1€		
		WO 02/094185	11/28/2002	RIBOZYME PHARMACEUTICALS				
		į						
		,				L		
		·						
						L		
						\Box		

Examiner	Date	
Signature	Considered	
	1	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

BEST AVAILABLE COPY

PTO/SB/08B (08-03) Approved for use:through 07/31/2006: OMB 0651-0031

U.S. Patentiand Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1,449/PTO				Complete if Known		
Cubstitut	ie ioi ioini i ,,,i oir io			Application Number	10/613077	
INFORMATION DISCLOSURE			CLOSURE	Filing Date	July 1, 2003	
(Use as many sheets as necessary)		First Named Inventor	LEAKE et al.			
		Art Unit	1635			
	(OSE as many si	icets as in	ecessary,	Examiner Name	BOWMAN, Amy Hudson	
Sheet	2	of	2	Attorney Docket Number	13510CIP	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		AMARZGUIOUI et al., Tolerance for mutations and chemical modifications in siRNA, 2003, Nucleic Acids Research, Vol 31, No. 2, pages 589-595.	
		PARRISH et al., Functional Anatomy of a dsRNA Trigger: Differential Requirement for the Two Trigger Strands in RNA Interference, November 2000, Molecular Cell, Vol. 6, pages 1077 - 1087.	
		ELBASHIR <i>et al.</i> ,RNA interference is mediated by 21 - and 22- nucleotide RNAs, January 2001, Genes & Development, Vol. 15, pages 188-200.	
		LETSINGER et al., Cholesteryl-conjugated oligonucleotides: Synthesis, properties, and activity as inhibitors of replication of human immunodeficiency virus in cell culture, September 1989, Proc. Natl. Acad. Sci. Vol. 86, pages 6553-6556	
		· · · · · · · · · · · · · · · · · · ·	
		-	

Examiner	Date	
Signature	 Considered	

^{*}EXAMINER: Initial:#freference.considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.